

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Cooperation Department -Cooperative Tribunals - Absorption of Sri B.L.N. Reddy, Junior Assistant, City Small Causes Court Unit ( working in Andhra Pradesh Cooperative Tribunal ) into Cooperative Department and also sanction of SGP Scale on completion of 8 years of regular incremental service in the cadre of Junior Assistant – Orders – Issued

AGRICULTURE AND COOPERATION ( COOP.IV) DEPARTMENT

G.O.Rt.No. 873

Dated 13-07-2009,  
Read the following:-

- 1) Commissioner for Co-operation and Registrar of Co-operative Societies, A.P. Hyderabad Proceedings Rc.No.52384/94-Legal, dated 10.08.1994.
- 2) District Judge / Chairman, A.P. Cooperative Tribunal, Hyderabad Proceedings Rc.No. 1022/CT/Hyd/96-E, dated 14.11.1996
- 3) Proceedings of the Registrar (Management), High Court of Andhra Pradesh, Hyderabad Order ROC No. 1403/2007-C-3, dated 6.11.2007
- 4) Lr.Dis.No. APCT/Hyderabad , dated 18.04.2008 of the District Judge/ Chairman, AP Cooperative Tribunal, Hyderabad.
- 5) From the Commissioner for Co-operation and Registrar of Co-operative Societies, A.P. Hyderabad Lr.Rc.No. 10636/2008/LR2, dated 3.10.2008

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ORDER:

In the reference 1<sup>st</sup> read above, the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad has issued orders appointing Sri B.L.N. Reddy, Copyist , City Small Causes Court Unit on departmental transfer and by deputation to the Cooperative Tribunal and Special Courts for a period of one year from the date of joining, keeping in view of the constitution of Cooperative Tribunals and Special Courts at Hyderabad and Vijayawada vide G.O.Ms.No. 569, Agriculture & Cooperation(Coop.IV) Dept., dated 05.11.1993 .

- 2) In the reference 2<sup>nd</sup> read above, the District Judge / Chairman, A.P. Cooperative Tribunal, Hyderabad has issued orders temporarily promoting Sri B.L.N. Reddy as Junior Assistant on adhoc basis under rule 40(1)(i) of the APJMS Rules read with A.P. State Subordinate Service Rules 10(a)(i) in the existing vacancy subject to certain conditions mentioned therein that the individual is eligible for increment in the time scale of pay as applicable under relevant rules.
- 3) In the reference 3<sup>rd</sup> read above, the High Court of Andhra Pradesh, Hyderabad has rejected the application of Sri B.L.N. Reddy seeking repatriation to his parent unit and passed the following orders:

*"This very issue relating to this very individual has been considered earlier and through letter dated 28.1.1998 it was pointed out that the individual was transferred on a permanent basis to the Cooperative Tribunal and hence consent for his further continuance was declined. Nearly after a decade the same issue is sought to be raked up. It does not deserve any consideration afresh. Further no individual could have been serving another institution for more than 5 years, without a special or specific permission. There is no such permission accorded in this case. The case of Sri B. Rama Subba Reddy stands on a different footing. Hence the request be rejected".*

- 4) In the reference 4<sup>th</sup> read above, the District Judge / Chairman, Andhra Pradesh Cooperative Tribunal while forwarding the representation of the individual to the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad has reported that, in pursuance of the orders passed by the Hon'ble High Court, Sri B.L.N.Reddy, Junior Assistant has submitted his representation dated 13.12.2007 wherein he has stated that he became permanent employee of the Cooperative Tribunal, vide letter Dis.No. 64107, dated 21.6.2007 of the Registrar(Management), Hon'ble High Court, AP, Hyderabad and as such he is entitled for Special Grade increment on completion

of continuous 8 years of service as Junior Assistant in the post of Junior Assistant by November, 2004 and requested to sanction Special Grade Promotion increment in the time scale of Junior Assistant. He has further stated that, since the AP Cooperative Tribunal is not an independent unit for appointment, transfer and promotion of the employees to the posts sanctioned temporarily by the Government at the time of constitution of Cooperative Tribunal in the year 1994, the process of transfer and postings on deputations to the Non-Gazetted posts of the Tribunal is being done through Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad and the budget also is being allotted by the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad. The District Judge / Chairman, Andhra Pradesh Cooperative Tribunal has also stated that , Sri BLN Reddy , who is originally copyist in the Judicial Department at the time of his transfer on deputation to the Tribunal and subsequently promoted temporarily as Junior Assistant on Adhoc basis has completed 8 years of incremental service by 14.11.2004 as Junior Assistant and he is entitled for SGP Scale of Junior Assistant and requested the Commissioner for Co-operation and Registrar of Co-operative Societies, Andhra Pradesh, Hyderabad to sanction Special Grade post scale of Junior Assistant to Sri B.L.N. Reddy.

5) In the reference 5<sup>th</sup> read above, while explaining the above position, the Commissioner for Co-operation and Registrar of Co-operative Societies, Andhra Pradesh, Hyderabad has requested to issue appropriate orders on continuation or otherwise of Sri B.L.N.Reddy , Junior Assistant and his appointment to the Special Grade Scale consequent on his completion of 8 years service as Junior Assistant.

6) After careful examination of the issue, the Government have decided to consider the proposal of the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad in relaxation of rules.

7) Accordingly, the Government hereby accord permission to the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad to absorb **Sri B.L.N. Reddy, who is working as Junior Assistant in Andhra Pradesh Cooperative Tribunal, Hyderabad** in Cooperative Department in the cadre of Copyist from the date of appointment in Andhra Pradesh Cooperative Tribunal in relaxation of rules applicable in this regard, as the postings of the individual to Cooperative Tribunal has been issued purely on administrative grounds in no fault of the individual and also the request of the individual for repatriation to his parent department was rejected by the Hon'ble High Court.

8) Government also permit the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad to consider for sanction of SGP Scale as per eligibility in the cadre of Junior Assistant in terms of G.O.(P) No. 241, Finance(PC.II) Department, dated 28.9.2005 and also as per G.O.Ms.No.117, Fin.& Plg(FW.PRC.1) Deptt., dated 25.5.1981.

9) The Commissioner for Co-operation and Registrar of Co-operative Societies, A.P. Hyderabad shall take necessary action in the matter accordingly.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T. RATNA KISHORE,  
PRINCIPAL SECRETARY TO GOVERNMENT(C&AM)

To

The Commissioner for Co-operation and Registrar of Co-operative Societies, Andhra Pradesh, Hyderabad.

Sri B.L.N. Reddy, Junior Assistant working in Andhra Pradesh Cooperative Tribunal, Hyderabad through the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad.

Copy to : The Registrar ( Management), Andhra Pradesh High Court, Hyderabad.

Copy to : The District Judge / Chairman, AP Cooperative Tribunal, Hyderabad .

Copy to : The Chief Judge, City Small Causes Court, Hyderabad.

SF/SC.

// FORWARDED:: BY ORDER //

SECTION OFFICER.

